

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DISTRICT**

In re:)	Case No. 17-17361
)	
RICHARD M. OSBORNE,)	Chapter 7
)	
Debtor.)	Judge Arthur I. Harris

**FIRST NATIONAL BANK OF PENNSYLVANIA’S MOTION FOR LEAVE TO FILE
LIMITED RESPONSE TO THE CHAPTER 7 TRUSTEE’S MOTION TO SELL
PERSONAL PROPERTY (LITIGATION CLAIMS) FREE AND CLEAR OF LIENS,
ENCUMBRANCES AND OTHER INTERESTS PURSUANT TO 11 U.S.C. § 363**

First National Bank of Pennsylvania, successor by merger to Park View Federal Savings Bank (“***FNBPA***”), by and through counsel, respectfully moves this Court for an order granting it leave to file a limited response to the Motion of trustee Kari B. Coniglio (the “***Trustee***”), the Chapter 7 trustee for the bankruptcy estate of Richard M. Osborne (the “***Debtor***”), to sell personal property (litigation claims) free and clear of liens, encumbrances and other interests pursuant to 11 U.S.C. § 363 [dkt. 887] (the “***Motion***”). Capitalized terms used herein shall have the same meaning as those used in the Motion. In support of this motion, FNBPA states as follows:

1. On May 1, 2020, the Trustee filed the Motion seeking approval to sell certain litigation claims to the Debtor. Specifically, the Motion seeks to sell: (a) the Receiver Claims; (b) the Receivership Appeals; (c) the Leonardi Claims; and the Masco Claims.
2. FNBPA does not seek to file a response with respect to the Receivership Appeals or the Leonardi Claims.

3. FNBPA seeks leave to file a limited response concerning the Receiver Claims and the Masco Claims.

4. The Trustee does not oppose the requested leave to file a limited response.

5. For the foregoing reasons, FNBPA requests that the Court enter an order granting it leave until June 8, 2020 in which to file a limited response to the Motion.

Respectfully submitted,

/s/ Heather E. Heberlein

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COUNSEL FOR FIRST NATIONAL BANK OF
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CERTIFICATE OF SERVICE

I certify that on June 1, 2020, a copy of the foregoing was served via the Court's Electronic Case Filing System on the following who are listed on the Court's Electronic Mail Notice List:

- Patrick R. Akers, on behalf of the Trustee, at prakers@vorys.com
- Gregory P. Amend, on behalf of First National Bank of Pennsylvania, at gamend@bdblaw.com
- Alison L. Archer, on behalf of Lakeland Community College, at alison.archer@ohioattorneygeneral.gov
- Richard M. Bain, on behalf of Zachary B. Burkons, at rbain@meyersroman.com
- Adam S. Baker, on behalf of Michael E. Osborne, Sr., at abakerlaw@sbcglobal.net
- Austin B. Barnes, III, on behalf of Tax Ease Ohio, LLC, at abarnes@sandhu-law.com
- Robert D. Barr, on behalf of Chicago Title Insurance Company, at rbarr@koehler.law
- Jeffrey W. Bieszczak, on behalf of the Trustee, at jwbieszczak@vorys.com
- David T. Brady, on behalf of Tax Ease Ohio, LLC, at DBrady@Sandhu-Law.com
- Carrie M. Brosius, on behalf of the Trustee, at cmbrosius@vorys.com
- Kari B. Coniglio, the Trustee, at kbconiglio@vorys.com
- LeAnn E. Covey, on behalf of Bank of America, N.A., at bknotice@clunkhooose.com
- Gregory M. Dennin, on behalf of the Debtor and himself, at greg@gmdlplaw.com
- Richard W. DiBella, on behalf of Nationwide Mutual Fire Insurance Company, at rdibella@dgmblaw.com
- Melody A. Dugic, on behalf of Home Savings Bank, Successor by Merger to The Home Savings & Loan Company of Youngstown, Ohio, at mgazda@hendersoncovington.com
- Douglas M. Eppler, on behalf of Osborne Farms, LLC fka Huron Lime Company, LLC, at deppler@walterhav.com
- Bryan J. Farkas, on behalf of the Trustee, at bjfarkas@vorys.com
- Scott D. Fink, on behalf of Erie Bank, a Division of CNB Bank s/b/m to Lake National Bank, at ecfndoh@weltman.com
- Stephen R. Franks, on behalf of Bank of America, N.A., at amps@manleydeas.com
- Stephen John Futterer, on behalf of City of Willoughby, at sjfutterer@sbcglobal.net
- Michael R. Hamed, on behalf of Gas Natural Inc., at mhamed@kushnerhamed.com
- Heather E. Heberlein, on behalf of First National Bank of Pennsylvania, at hheberlein@bdblaw.com
- Dennis J. Kaselak, on behalf of Diane M. Osborne, at dkaselak@peteribold.com
- Christopher J. Klym, on behalf of Ohio Department of Taxation, at bk@hhkwlaw.com
- Matthew H. Matheney, on behalf of First National Bank of Pennsylvania, at mmatheney@bdblaw.com
- Shannon M. McCormick, on behalf of Center Street School Condominiums and Coachhouses Unit Owners' Association, Inc., at bankruptcy@kamancus.com
- Michael J. Moran, on behalf of Diane M. Osborne, at mike@gibsonmoran.com
- Kelly Neal, on behalf of The Huntington National Bank, at kelly.neal@bipc.com

- David M. Neumann, on behalf of Zachary B. Burkons, at dneumann@meyersroman.com
- Timothy P. Palmer, on behalf of The Huntington National Bank, at timothy.palmer@bipc.com
- Drew T. Parobek, on behalf of the Trustee, at dtparobek@vorys.com
- Tricia L. Pycraft, on behalf of Rea & Associates, Inc., at tpycraft@ccj.com
- Kirk W. Roessler, on behalf of Estate of Jerome T. Osborne, Osborne Farms, LLC fka Huron Lime Company, LLC, and Huron River Properties, Inc., at kroessler@walterhav.com
- John J. Rutter, on behalf of Mentor Lumber & Supply Co., at jrutter@ralaw.com
- Frederic P. Schwieg, on behalf of the Debtor, at fschwieg@schwieglaw.com
- Shapero Green & Michel LLC, on behalf of the Trustee, at BGreen@ShaperoLaw.com
- Michael J. Sikora, III, on behalf of Chicago Title Insurance Company, at msikora@sikoralaw.com
- Nathaniel R. Sinn, on behalf of First National Bank of Pennsylvania, at nsinn@bdblaw.com
- Robin L. Stanley, on behalf of Diane M. Osborne, at rstanley@peteribold.com
- Rachel L. Steinlage, on behalf of Zachary B. Burkons, at rsteinlage@meyersroman.com
- Andrew M. Tomko, on behalf of Tax Ease Ohio, LLC, at atomko@sandhu-law.com
- Jeffrey C. Toole, on behalf of Zachary B. Burkons, at toole@buckleyking.com
- Michael S. Tucker, on behalf of Citizens Bank, N.A., at mtucker@ulmer.com
- Phyllis A. Ulrich, on behalf of The Huntington National Bank, at bankruptcy@carlisle-law.com
- Leslie E. Wargo, on behalf of the Debtor, the Trustee, and herself, at Leslie@Wargo-Law.com
- Elia O. Woyt, on behalf of the Trustee, at eowoyt@vorys.com
- Maria D. Giannirakis, on behalf of the United States Trustee, at maria.d.giannirakis@usdoj.gov
- Scott R. Belhorn, on behalf of the United States Trustee, at Scott.R.Belhorn@usdoj.gov

/s/ Heather E. Heberlein

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